120

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PTO/SB/21 (08-00)
Approval for use through 10/31/2002. OMB 0651-0031
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OIPE JC19 NOV 14 2003 PATENT & TRADEMARK OFFICE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

RECEIVED NOV 19 2003 TECH CENTER 1600/2900

Application Number	09/819,946
Filing Date	03/28/01
First Named Inventor	Walke
Group Art Unit	1646
Examiner Name	M. T. Brannock
Total Number of Pages in This Submission: 30	Attorney Docket Number: LEX-0157-USA

ENCLOSURES *(check all that apply)*

- [X] Fee Transmittal Form
- [] Fee Attached
- [] Amendment / Reply
- [] After Final
- [] Affidavits/declaration(s)
- [X] Extension of Time Request
- [] Express Abandonment Request
- [] Information Disclosure Statement
- [] Certified Copy of Priority Document(s)
- [] Response to Missing Parts/ Incomplete Application
- [] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [] Assignment Papers *(for an Application)*
- [] Drawing(s)
- [] Licensing-related Papers
- [] Petition
- [] Petition to Convert to a Provisional Application
- [] Power of Attorney, Revocation Change of Correspondence Address
- [] Terminal Disclaimer
- [] Request for Refund
- [] CD, Number of CD(s) _____
- [] After Allowance Communication to Group
- [] Appeal Communication to Board of Appeals and Interferences
- [X] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [] Proprietary Information
- [] Status Letter
- [X] Other Enclosure(s) *(please identify below):*
 - Return Postcard
 - Exhibits A - S

Remarks: **Everything filed in triplicate**

Customer # 24231

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lexicon Genetics Incorporated Lance K. Ishimoto Reg. No. 41,866
Signature	Lance K. Ishimoto by Peter G. Sekeres Reg No 40162
Date	November 13, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (EV 232149468 US) in an box addressed to: Commissioner for Patents, Mail Stop Appeal Brief, P.O. Box 1450, Alexandria, VA 22313 on this date:

November 13, 2003

Typed or printed name	Nancy Stacey		
Signature	Nancy Stacey	Date	November 13, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents. Washington, DC 20231.

PTO/SB/17 (01-03)
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OIPE NOV 14 2003 PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

RECEIVED NOV 19 2003 TECH CENTER 1600/2900

Complete if Known	
Application Number	09/819,946
Filing Date	03/28/01
First Named Inventor	Walke
Examiner Name	M. T. Brannock
Group Art Unit	1646
Attorney Docket No.	LEX-0157-USA

[X] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 165.00

METHOD OF PAYMENT *(check all that apply)*

[] Check [] Credit Card [] Money Order [] Other [] None

[X] Deposit Account

Deposit Account Number: 50-0892

Deposit Account Name: Lexicon Genetics Incorporated

The Commissioner is authorized to: *(check all that apply)*

[X] Charge fee(s) indicated below [X] Credit any overpayments

[X] Charge any additional fee(s) during the pendency of this application

[] Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fee from below		Fee Paid
Total Claims	-20**=		X	=	
Independent Claims	-3**=		X	=	
Multiple Dependent				=	

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)

***or number previously paid, if greater; For Reissues, see above*

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840**	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	165.00
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 165.00

SUBMITTED BY

Complete *(if applicable)*

Name (Print/Type)	Lance K. Ishimoto	Registration No. (Attorney/Agent)	41,866	Telephone	(281) 863-3333
Signature	Lance K. Ishimoto Peter G. Sefferin Reg No 40162			Date	November 13, 2003

Custom r # 24231

WARNING: Inf rmati n on this f rm may b c me public. Credit card information should n t b included on this form. Provide cr dit card information and authorization of PTO-2038.

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